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7 Attorneys for Defendant

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10  
11 JOSEPH LaMANNA,

12 Plaintiff,

13 v.

14 KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

15 Defendant.  
16

) Case No.: 2:22-cv-01721-NJK

) **UNOPPOSED MOTION FOR**  
) **EXTENSION OF TIME**  
) **(FIRST REQUEST)**

17  
18 Defendant, the Acting Commissioner of Social Security (the “Commissioner”), through the  
19 undersigned counsel, hereby requests an extension of time to file her Cross-Motion to Affirm and  
20 Response to Plaintiff’s Motion for Reversal and/or Remand in this case. In support of this request, the  
21 Commissioner respectfully states as follows:

22 The Commissioner’s response is currently due February 17, 2023. The undersigned does not  
23 anticipate being able to respond by this date because he is currently looking into the possibility of  
24 settling this case, which requires further communication within his office, with his client, and with  
25 opposing counsel should such an option appear possible. If settlement is not possible, then full  
26 briefing will be necessary, which will require additional time.

1 The undersigned has not been able to complete these tasks as of this date based on his  
 2 workload. More specifically, the undersigned received reassignment of this case on February 8, 2023.  
 3 Since that time, the undersigned has been responsible for drafting and filing a cross-motion for  
 4 summary judgment for a case in a different district (Northern District of California) and a responsive  
 5 brief for a case in another district (Western District of Washington). The undersigned has also  
 6 reviewed an answering brief in the United States Court of Appeals for the Ninth Circuit drafted by  
 7 another attorney in the same office and has started work on three additional answering briefs for cases  
 8 of his own in the Ninth Circuit. This week, two additional opening briefs have been filed in two of the  
 9 undersigned's cases in the Ninth Circuit, increasing his Ninth Circuit caseload to six answering briefs  
 10 due over the next month. Finally, the undersigned is in the process of selling his home and purchasing  
 11 a new home; moving and related responsibilities have required the undersigned to take two full days of  
 12 leave since receiving reassignment of this case on February 8, 2023.

13 For all these reasons, the undersigned submits that good cause exists to extend the deadline for  
 14 the Commissioner's response. Counsel for Plaintiff stated by electronic mail that he does not oppose  
 15 this request.

16 WHEREFORE, Defendant requests until March 20, 2023, to respond to Plaintiff's Motion for  
 17 Reversal and/or Remand.

18  
 19 Dated: February 17, 2023

Respectfully submitted,

20 JASON M. FRIERSON  
 21 United States Attorney

22 /s/ Daniel P. Talbert  
 23 DANIEL P. TALBERT  
 Special Assistant United States Attorney

**ORDER**

24 **IT IS SO ORDERED.**

25   
 UNITED STATES MAGISTRATE JUDGE

26 Dated: February 21, 2023